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November 18, 2022

VIA ECF

The Honorable Nelson S. Román
United States District Judge
Southern District of New York
300 Quarropas St.
White Plains, New York 10601-4150

Re: Frey v. Bruen, 21 Civ. 5334 (NSR)

Dear Judge Román:

This Office represents Defendant Steven Nigrelli, in his official capacity as Acting Superintendent of the New York State Police, in the above-referenced action. We write jointly with City Defendants, to respectfully request permission to exceed Your Honor's page limit for the State and City Defendants' responsive briefs and that said page limit be extended, from twenty-five pages to fifty pages. Plaintiffs, who have consented to Defendants' request, seek up to an additional ten pages to address the arguments for each side (30 total pages).¹

The reasons for our request are because of the scope of Plaintiffs' motion and the complexity of the issues raised therein. Specifically, Defendants need additional space to address the factual background, the legal history, and the tradition of New York's firearms law; to address the issues of standing for each Plaintiff; and to establish, in any event, that Plaintiffs fail to show a clear likelihood of success. Additionally, the Second Amendment issues raised by Plaintiffs uniquely rest on detailed and thorough historical analysis which requires additional space to adequately address.

¹ Should Plaintiffs decide that they require additional time to reply, given the length of the opposition papers, Defendants will not oppose such a request.

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We understand that the Court encourages and appreciates brevity, but due to the seriousness and legal complexity of Plaintiffs' motion, additional pages are required. This is the first request for a page limit extension by any party.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Suzanna Publicker Mettham

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